

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE

At 11:22 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 320. An act to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States.

H.R. 515. An act to prohibit the importation of certain low-level radioactive waste into the United States.

H.R. 1242. An act to amend the Emergency Economic Stabilization Act of 2008 to provide for additional monitoring and accountability of the Troubled Asset Relief Program.

H.R. 2873. An act to provide enhanced enforcement authority to the Securities and Exchange Commission.

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office".

H.R. 3963. An act to provide specialized training to Federal air marshals.

H.R. 3980. An act to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 129. Concurrent resolution congratulating the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols.

H. Con. Res. 197. Concurrent resolution encouraging banks and mortgage servicers to work with families affected by contaminated drywall and to consider adjustments to payment schedules on their home mortgages that take into account the financial burdens of responding to the presence of such drywall.

At 5:52 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3570. An act to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes.

H.R. 4154. An act to amend the Internal Revenue Code of 1986 to repeal the new carryover basis rules in order to prevent tax increases and the imposition of compliance burdens on many more estates than would benefit from repeal, to retain the estate tax with a \$3,500,000 exemption, to reinstitute and update the Pay-As-You-Go requirement

of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration, and for other purposes.

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 320. An act to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 515. An act to prohibit the importation of certain low-level radioactive waste into the United States; to the Committee on Environment and Public Works.

H.R. 2873. An act to provide enhanced enforcement authority to the Securities and Exchange Commission; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3570. An act to amend title 17, United States Code, to reauthorize the satellite statutory license, to conform the satellite and cable statutory licenses to all-digital transmissions, and for other purposes; to the Committee on the Judiciary.

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3963. An act to provide specialized training to Federal air marshals; to the Committee on Commerce, Science, and Transportation.

H.R. 3980. An act to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 129. Concurrent resolution congratulating the Sailors of the United States Submarine Force upon the completion of 1,000 Ohio-class ballistic missile submarine (SSBN) deterrent patrols; to the Committee on Armed Services.

H. Con. Res. 197. Concurrent resolution encouraging banks and mortgage servicers to work with families affected by contaminated drywall and to consider adjustments to payment schedules on their home mortgages that take into account the financial burdens of responding to the presence of such drywall; to the Committee on Banking, Housing, and Urban Affairs.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3855. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SOCATA Model TBM 700 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0557)) as received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3856. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318-111, -112, A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-1215)) as received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3857. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 340A (SAAB/SF340A) and SAAB 340B Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0134)) as received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3858. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0699)) as received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3859. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate previously held by Raytheon Aircraft Company) Models 1900, 1900C, and 1900D Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0165)) as received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3860. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0310)) as received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2009; to the Committee on Commerce, Science, and Transportation.

EC-3861. A communication from the Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Poultry Contracts; Initiation, Performance, and Termination" (RIN0580-AA98) received in the Office of the President of the Senate on November 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3862. A communication from the Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Apricots Grown in Designated Counties in Washington; Decreased Assessment Rate" (Docket No. AMS-FV-09-0038; FV09-922-1 FIR) received in the Office of the President of the Senate on November 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3863. A communication from the Deputy Secretary of Defense, transmitting the report of (12) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code,

section 777; to the Committee on Armed Services.

EC-3864. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Definitions of Component and Domestic Manufacture" (DFARS Case 2005-D010) received in the Office of the President of the Senate on November 30, 2009; to the Committee on Armed Services.

EC-3865. A communication from the Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, an annual report on the Mentor-Protégé Program for fiscal years 2007 and 2008; to the Committee on Armed Services.

EC-3866. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital-Residential Mortgage Loans Modified Pursuant to the Home Affordable Mortgage Program" (RIN1557-AD25) received in the Office of the President of the Senate on November 30, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-3867. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Model Privacy Form Under the Gramm-Leach-Bliley Act" (RIN1557-AC80) received in the Office of the President of the Senate on November 30, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-3868. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending—Interim Final Rule; Request for Public Comment" (Regulation Z; Docket No. R-1378) received in the Office of the President of the Senate on November 30, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-3869. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program: State Flexibility for Medicaid Benefit Packages and Premiums and Cost Sharing" (RIN0938-AP72 and RIN0938-AP73) received in the Office of the President of the Senate on November 30, 2009; to the Committee on Finance.

EC-3870. A communication from the Chairman of the U.S. International Trade Commission, transmitting, pursuant to law, a report relative to the Commission's Strategic Plan covering the period from fiscal year 2009 through fiscal year 2014; to the Committee on Finance.

EC-3871. A communication from the President of the United States, transmitting, pursuant to law, a report relative to an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-3872. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to unvouchered expenditures; to the Committee on Homeland Security and Governmental Affairs.

EC-3873. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-233, "Neighborhood Super-

market Tax Relief Clarification Temporary Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-3874. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-232, "First Congregational United Church of Christ Property Tax Abatement Temporary Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-3875. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-231, "Police and Firefighter Post-Retirement Health Benefits Temporary Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-3876. A communication from the Acting Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's Performance and Accountability Report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3877. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2009, through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3878. A communication from the Chairman, National Endowment for the Arts, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report as well as the Chairman's Report on Final Action for the period of April 1, 2009 through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3879. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3880. A communication from the Chairman, Board of Governors, U.S. Postal Service, transmitting, pursuant to law, the Semiannual Report on the Audit, Investigative, and Security Activities of the U.S. Postal Service for the period of April 1, 2009 through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 372. A bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes (Rept. No. 111-101).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1353. A bill to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1966 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLEER for the Committee on Commerce, Science, and Transportation.

Suresh Kumar, of New Jersey, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

\*Scott Boyer Quehl, of Pennsylvania, to be Chief Financial Officer, Department of Commerce.

\*Scott Boyer Quehl, of Pennsylvania, to be an Assistant Secretary of Commerce.

\*Philip E. Coyle, III, of California, to be an Associate Director of the Office of Science and Technology Policy.

\*Anthony R. Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years.

\*Albert DiClemente, of Delaware, to be a Director of the Amtrak Board of Directors for the remainder of the term expiring July 26, 2011.

\*Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 2009.

\*Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2014.

By Mr. LEAHY for the Committee on the Judiciary.

Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Louis B. Butler, Jr., of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

Susan B. Carbon, of New Hampshire, to be Director of the Violence Against Women Office, Department of Justice.

John H. Laub, of the District of Columbia, to be Director of the National Institute of Justice.

Sharon Jeanette Lubinski, of Minnesota, to be United States Marshal for the District of Minnesota for the term of four years.

Mary Elizabeth Phillips, of Missouri, to be United States Attorney for the Western District of Missouri for the term of four years.

Sanford C. Coats, of Oklahoma, to be United States Attorney for the Western District of Oklahoma for the term of four years.

Stephen James Smith, of Georgia, to be United States Marshal for the Southern District of Georgia for the term of four years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR (for herself, Mr. FEINGOLD, Mr. WEBB, and Mr. BEGICH):

S. 2825. A bill to require cell phone early termination fees to be pro-rated over the term of a subscriber's contract, and for other purposes; to the Committee on Commerce, Science, and Transportation.